

**MINUTES
FOR THE MEETING OF THE
BOARD OF LAND AND NATURAL RESOURCES**

DATE: FRIDAY, APRIL 28, 2017
TIME: 9:00 A.M.
PLACE: KALANIMOKU BUILDING
LAND BOARD CONFERENCE ROOM 132
1151 PUNCHBOWL STREET
HONOLULU, HAWAII 96813

MEMBERS

Suzanne Case
Thomas Oi
Stanley Roehrig
Sam "Olu" Gon

James Gomes
Chris Yuen
Keone Downing

STAFF

Russell Tsuji-LAND
David Smith-DOFAW
Ed Underwood/DOBOR
Ross Smith-DOT-AIRPORTS

Alton Miyasaka-DAR
Kevin Moore-LAND
Maria Carnevale-DAR
Andrew Choy-PARKS

OTHERS

Dolan Eversole/K1
Brian Shiokawa/K1
Sonia Hirose/K1
James Manaku/K1
Herb Lee/F-3

Michelle Matson/K1
Henry Pomroy/J1
Strauss/J1
Scott Sullivan/K1
Charles Littnan/F3

The Meeting was called to order by Chair Case at 9:05 am. She conveyed the contested case advisory.

Item D-8 was withdrawn from the Agenda

MINUTES

1. Approval of January 13, 2017 Minutes

Unanimously approved as submitted (Gon, Gomes).

2. Approval of January 27, 2017 Minutes

Unanimously approved as submitted (Gomes, Oi).

3. Approval of February 10, 2017 Minutes

Unanimously approved as submitted (Gomes, Oi).

4. Approval of February 24, 2017 Minutes

Unanimously approved as Submitted (Gon, Gomes).

ITEM J-1 Violation of Hawai'i Administrative Rules, Section 13-231-51: Business Activities, and Section 13-256-3: Commercial Use Permit or Catamaran Registration Certificate Requirements, Against Ho'okupu Fish Company, LLC, Mr. Henry K. Pomroy, and Mr. William Akira Gushiken Fujimoto for Engaging in Illegal Commercial Operations on state ocean waters from the Pohoiki Boat Ramp, Hawai'i Island Without a Commercial Use Permit;

And

Request for Authorization to hold a Contested Case Hearing and for the Chairperson to select a Hearing Officer;

And

Request for a Consolidation of Any and All Contested Cases Resulting from this Action or Other Related Actions.

Ed Underwood, Administrator, Division of Boating and Ocean Recreation told the Board that DOBOR was advised to bring these violations to the Board as a package.

Deferred until Mr. Pomroy's attorney arrives.

Item J-2 GKM, Inc., Harbor Lease No. H-82-4, a Hawai'i Corporation, Lessee, Honokōhau Small Boat Harbor, Kealahou, Kailua-Kona, Hawai'i, requests authorization to sublease portions of its current lease area to the sublease tenants listed in Exhibit A.

Ed Underwood, DOBOR, provided updated spreadsheets for the Board's information.

Board Discussion

The Board had extensive discussion on whether to charge a sublease premium for the GKM subleases. The consensus was not to charge a premium because of the nature of GKM's business, which was largely to provide space for other businesses to sublease.

“If applicable, revision of the rent and rent structure charged to GKM, Inc. in light of the rent rate charged to the proposed sublessee by the LESSEE.

Public Testimony- None

Motion

Approved as amended (Roehrig, Gomes) unanimous.

10:25 a.m. Recess

10:35 a.m. Back in Session

Back to Item J-1, Attorney Steven Strauss arrived.

Stauss asked the Chair to recuse herself.

Chair Case denied the request.

Strauss asked to have the case dismissed. He is requesting a contested case and will submit written petition.

Board Discussion

12:15 p.m. Board elected to go into Executive Session

1:20 p.m. Back in Session

Attorney General recommended to move to a Contested Case Hearing if all requirements are met.

Motion

Approved to move to Contested Case Hearing (Roehrig, Gon) unanimous.

ITEM K-1 Conservation District Use Application (CDUA) OA-3784 for the Royal Hawaiian Groin Improvement Project, by the Department of Land and Natural Resources, Office of Conservation and Coastal Lands, at Waikīkī, Island of O‘ahu, Seaward of Tax Map Keys: (1) 2-6-002:005 and (1) 2-6-002:006.

Sam Lemmo, Administrator, Office of Conservation, and Coastal Lands, provided a PowerPoint presentation on the history and present-day conditions of the Waikiki Groin as well as four options to rebuild and reviewed each option in detail.

Board Discussion

Member Downing asked to be recused. He is a member of the Surfing Education Association.

Lemmo-OCCL, the recommendation has a slight modification to it, preserves to some extent the existing groin, replaces the existing groin in place, modest change to the situation there now, it is within the envelope of what is acceptable. Adaptive re-use alternative with a slight change that we suggest putting a T-head with conditions.

Members Roehrig, Gon, Gomes & Oi had asked questions concerning sand accretion, currents, wave action. There was a robust discussion.

Scott Sullivan, Sea Engineering, Inc., explained how the structures can control wave approach to the shore, if we can control that we can control the sand movement. We use the head of these groins, it is called wave detraction, it changes the way the wave approaches the shore. We are making it turn so it becomes parallel to the beach. We are changing the wave crest and wave approach to control the shape of the beach. We are eliminating the current near the shoreline. We do not want currents by the shoreline to move the sand.

Public Testimony

Brian Shimokawa, Michelle Matson & Sonia Hirose spoke in opposition.

Dolan Eversole, Ted Bush spoke in support.

Written Testimony in opposition submitted by, M Louis va deBeek, John Moss, Rene Werder, John Shockley, Eugene Kawaguchi, Bob Richards, Ross & Arlyn Avery, George Downing, Suzanne Walker, David Chee, Ronald Iwani, Michael Kirk-Kuwaye, Doreen Yarson, Ralph S. Goto, Alana Reis, John Kobelanskdy, Jr.,

Members Roehrig, Gomes, Gon and Oi, each relayed their concerns after hearing public testimony.

Member Roehrig made a motion we to approve a L-structure, substantially the same as the existing structure, it could be a footprint of the existing structure but it needs to be repaired, renovated, and reconstructed with up to date engineering features that will make it last longer so it will not deteriorate as quickly when we have high surf or a hurricane, tsunami, whatever affects the wave action.

Member Gomes second the motion.

Chair Case asked if there was any further discussion to the Board Members.

Member Gomes, I have been contemplating, I can see both sides, listening and reading the testimonies we have, but no matter how we look at it we are always going to, from time to time sand replenishment in the area. We are going to be faced with sea-level change and we have been faced more so with that in the last 4-years since I have been on the Board off people on the North Shore and other places doing rock-vestment. It just stands to reason that people who want to buy homes here in Hawaii and want to live on the beachfront, it is not the place to do it anymore, because the ocean is encroaching into the property. Waikiki is a billion-dollar tourist attraction and yet it is also from the Royal families before and its special. With the technology,

we have today can we somehow look at replacing the wall with the same footprint that is existing now and Sam I think you said there are twelve triggers that had to be met for an EIS and in your professional opinion it does not. I think we should look at doing an EIS. I see both sides of the coin.

Member Yuen opposes the motion. I will give the good/bad ideas and I have a procedural problem with the motion. We have to stabilize an artificially created beach that is now an iconic aspect of Hawaii, although artificially constructed and it needs some kind of groin structure to stabilize it, we all agree on that. The second issue is that we need to create a structure that does the least harm and does the job. There are issues with the slippery rocks that really did not come up today but are in the testimonies to some extent. The existing Ewa/Kuhio groin is a slopping rock-rubble, there is a what Bill Eversol called a splash wall, to my way of thinking is much less safe than what we want to build. I think the major issue for the opponents is suspicion that the engineers do not know what they are talking about in designing this. I think it is good to question experts that come and test it to see if it makes sense to you, but I think after listening to it, it does make sense that the rubble/rock wall sloping is a better configuration for holding sand and not reflecting waves back off-shore than a vertical rock wall. I do not blindly trust what the Engineers say, after hearing what we heard and hearing the testimony and reading the opposition, I think they presented a good case that this is the right engineering solution to have the structure we agree is necessary, part from suspicion about whether they know what they are talking about why we would prefer the vertical concrete structure to the proposed sloping rubble/rock groin. I would make a Motion which is not in order now, there is another motion on the floor, I would approve Staff's recommendation.

Member Yuen addressed Member Roehrig, the procedural aspect of the motion is if I understand it correctly it is to approve a L-shape groin that is like the current rock groin. Is that the correct statement?

Member Roehrig replied, yes. When they say the same footprint my thought and Member Gomes said it also, it is an L-shape that curves to the left and essentially put in a new one, same configuration, same place, that sums it up. I also endorse the idea of an EIS before we get into this.

Member Yuen said that leads into my procedural problem. The motion was to approve that structure and first of all the EA that was done had four alternatives; one was a 280-foot T-rubble structure, another one was a 180-feet T-rubble structure, the third one was a 180-foot L-structure with an adaptive reuse of the center, to me the staff recommendation is a little bit different is that one with a "T", but the external effects of that are not the same of the 180-foot "T". The fourth option that was studied was a 180-foot L-structure vertical concrete wall. If that is the proposal, we could approve that structure without a further environmental assessment. I do not think we can approve that structure on this agenda because that is not the proposal in front of us. It is not an amendment, it is not like saying make it foot lower or twenty feet shorter, it is a sufficient change from the proposal that is on the agenda. But it could be done. We could bring that back, if the other proposals go down, the Staff can bring that back at a later meeting, it is been accessed. The public can weigh in on the 180 L-shape concrete wall. The structure that follows the footprint of the current groin, especially if you take the hook out to 360 foot, there is never been an environmental assessment of that. We could approve that today, and it would at least

have to have an environmental assessment done before it comes it back to the Board for a Conservation District Use Permit. Those are my reasons for opposing the motion, I think there is a better structure we can build and I do not think we can approve the rebuilding of the existing groin today. Because the proposal is different Chair Case agrees.

Member Gon commented that one of the points Member Yuen makes I completely agree with, if we are proposing to rebuild the existing groin as it was in 1927, it takes it way out too close to "Baby Royals", whereas the four options before us today are far short of that. In my mind, would make for a much lower impact scenario. For example, if you wanted to say maintain the look of the current rather narrow cement structure then it would be closest to the concrete wall groin just the upright wall that extends out and turns far shoreward of where the existing one is. I was listening to the all the arguments with regard to continuation of wave reflection and that is an important thing because it address the concerns of the surfing community so it also contributes to the continuation of the sand removal. If I was going to minimize any new look to this thing, I could go as far as taking out the west facing fin of the beached whale and going with adoptive reuse groin plan, the one that comes close to Staff recommendation, except it does not have the western face, but has the benefits of the continuation rock structure. When I look at the visual impacts it is quite different if you are walking along Waikiki Beach looking out it is easy to ignore the existing groin on the visual impact side of things I can see how people could make that argument but, we are talking about something that needs to exist for decades and it is good to invest in the engineering that would contribute to beach retention. In the case of the Staff recommendation it has the potential for beach retention on the other side which is chronically without beach. For those reasons, I like Chris would be willing to entertain a motion of the original Staff recommendation rather than the motion that is before us now. I would also like to point out that the environmental impact and the environmental assessment process are very similar and both require a description of the proposed actions, detailed descriptions of the anticipated effects, require public, agency and organizations feedback, require an analysis of the impacts and an assessment and selection of the one that minimizes the impacts or that the impacts are minimal enough. Like you said there are twelve facets that trigger the steps to go to an environmental impact statement. The background information for both is present in the EA so the work that has been by the experts and engineers and the like is largely in place, I do not see the necessity to go through the environmental impact statement step.

Member Oi said through his experience on Kauai rock walls are not very beach friendly. In Kikioula where we are losing all our beaches because, of the Harbor. I cannot see putting up rock walls. That is my thinking already. If we cannot act on Member Roehrig's motion then I will not support the second recommendation.

Member Yuen asked Member Oi if you would prefer the concrete vertical wall? Member Oi replied he wanted to see more effort put into saying this wall is beyond repair. I went through the whole EIS and it does not address what the problem is and why it cannot be repaired. Member Roehrig asked Member Oi if he wanted it repaired. Member Oi said if it cannot be repaired he would go with something else. To me what it said, it was out from the beginning.

Chair Case said, isn't this in a sense building on the existing wall? I do not know what the difference is between that and repairing would be. Member Oi said he would like to see more as to why it cannot be repaired. I am skeptical about building rock walls.

Chair Case said we did have testimony from the Engineer about the mortar is falling apart and concrete does not last forever and its falling apart. Member Oi said in this day and age if one of the proposal was putting up a concrete structure in the ocean then they can do something. Chair Case said that would be using new concrete though. Member Oi said in this day and age there are a lot of ways you can restore or find ways to support the walls.

Chair Case said she supports the Staff recommendation. I read through all the alternatives. I am convinced the vertical wall would create much more wave reflection. That would be a problem for retaining sand as well as reflecting off whatever direction it goes toward surfing sites. I think this is a much smaller footprint although wider than the existing one. I am sure in 1927 when this went in, people thought "Oh my god, you are putting in a rock wall in Waikiki Beach". But the fact of the matter is if we want a beach at Waikiki we need something there. This is the smallest footprint proposal and we have had testimony from the Engineers that it is about to fall apart and if you were to rebuild it, you would be building a vertical wall structure on a curved design that was not engineered. This is a hundred years later. What makes people nervous visually, is that a sloping boulder rock wall is larger, bigger to look at but I was looking at some of the aerial maps of Waikiki. I think it is a matter of getting use to the change in the visual. I do not think this is the same situation you have at Kikiuola. That is a whole different construction combination. So, the question here is do you want a beach at Waikiki? If you, do, you have to have some kind of structure, then the question is what is the most effective structure going to be that is the smallest footprint and least effect on the waves. The Staff recommendation lays that all out carefully. Member Oi replied that he understands.

Member Roehrig said he wanted to propose an amendment. The recommendation is a 180-feet?

The Engineer Scott explained it is a 180-feet linear length along the crest, it extends 160 feet from the seawall.

Member Roehrig said he wanted to amend the motion to make it 180-feet if you add the 130 to the 50. Member Yuen asked if he was proposing a 180-feet vertical L-shaped concrete wall? Which would be Option 4 of the EA,

Member Yuen said we agree something needs to be done. If the Board is deadlocked on this matter we should go through the process of voting on what we think we should do and I think on voting on Option 4 of the EA. I am very concerned about doing it on this Agenda. Chair Case said she agrees. Member Yuen went on to say this a different proposal then what was presented. Whether I would vote on it, if the Staff re-evaluated this and the Board is deadlock, I might vote for it if it is brought back.

Member Roehrig said he did not agree with the idea, because it is not exactly the way it is proposed that we cannot vote on it. We do it all the time.

Chair Case replied, not with something of this magnitude. Member Roehrig said he understands that it is a matter of degree. We have had dockets where a proposal starts out one way and we have changed our minds, we have broad discretion in what we do. If Option 4 is mentioned in the docket I think that is enough. It is not unreasonable. It may not agree with other's ideas.

This is the third time something of this nature according to what I read that has come before the Board in the last 15-years. Every time it comes before the Board the Public and the Board has a problem with it. I think the more we defer the harder our position gets.

Member Gon asked the Engineer if we went with Option 4 and it turns out that the wave reflection was tuning into a problem, could a boulder revetment be added in retrospect.

Scott responded, yes, you could conceivably go back and use the concrete wall as a core, this project is very disruptive and you do not want to go back if you have to.

Chair Case said the Motion on the floor was to be rephrased to be Option 4 concrete not boulders. Member Gomes seconded the motion.

Members Roehrig, Gomes and Oi voted in favor. Members Gon, Yuen, and Chair Case opposed. The Motion did not pass.

Chair Case asked if there was a Motion to approve Staff Submittal K-1? Member Yuen moved to approve, Member Gon seconded the Motion.

Chair Case asked for further discussion.

Member Gon, we have heard from the surfing community, old-timers who know this place well that argued for the benefit of the design. There were vocal arguments on both sides of the issue. But, I have to put my faith into the studies that were conducted with regard to minimize the impact on surf, the ability to retain sand, minimizing the extent outward from the shore, the part I would have trouble with is the visual aspect, but people get used to things over time. I would go for the Staff recommendation.

Chair Case commented that she would be very concerned about doing a project that has a lesser likelihood of success than the one proposed. I am confident that it has been analyzed with modern engineering. The other thing I worry about if the Board does not approve this, why would we continue to spend millions of dollars on beach nourishment if there is no way to keep the sand there? That is a colossal waste of money and the impact it will have to our tourism industry. We have to do something. Having heard all the discussion on what the most likelihood of success is, least footprint, least wave reflection. I am confident from an engineering standpoint this is the best alternative.

There were no further comments. Chair Case said the Motion is to approve K-1 as submitted there is a second on the Motion. Members Gon, Yuen, and Chair Case voted to in favor. Members Roehrig, Gomes and Oi voted to oppose.

The Board remains in deadlocked.

Member Roehrig made the Motion that based on the comments that he heard, that the original motion with the idea of doing what we can to repair the present wall and we start from that and repair the present wall. It does not have to go further than 180-feet. And the rest of the motion remains the same. Member Oi seconded the Motion.

Chair Case said we will vote on the Motion. Members Roehrig, Gomes & Oi in favor. Members Yuen, Gon & Chair Case opposed. The Motion does not pass.

Member Yuen suggested that they bring the Item back the second meeting in May and talk about it some more. Member Roehrig commented that we should give Staff, Engineers, and Opponents up to 160-days so they can have a chance to get closer together.

Member Oi said that if the Engineers can provide adequate information to me, that the wall cannot be repaired, I am willing to look at Staff recommendations.

Chair Case asked if there was any other information the Board Members would find useful in a re-evaluation? Member Roehrig agreed with Member Oi in looking closer at restoring the wall.

Member Gomes said there are T-groins right now, how can we find out if there are any negative sides beside what SOS provided, not only in this area, do we have them on the outer islands? Is there any negative impact, has it replenished sand or taken it away and I am not saying in front of Waikiki? Is there any kind of feedback we can get so we can do a little more research with that rock and if there are any possible liabilities that would come along with that versus the concrete one too? Maybe it would be helpful in changing some of our thoughts to move this project forward,

Member Gon added one more point to add, the widening of the structure does invite people to get on it, it would be really hard not to. Right now, you would have to be a tight rope artist to be on that thing and so if either making it a public friendly top thing to walk onto or a compelling mechanism to prevent visitors or anyone to get onto it. That would-be part of the argument in my mind. Member Roehrig agreed.

Member Gomes said when it comes back to the Board we had a least five or six who wanted to testify. Because of the time they had to get back to work or whatever, we had lifeguards, other people. I think it should be the first item on the move-up agenda so these guys can get in here and say what they want to say, get some input from them and then they can get back to work and we can continue our business rather than being here and not have the opportunity and they took off work to be here

Motion

Defer Item K-1 (Roehrig, Gomes) Unanimous.

Recess 12:20 pm

Back in session 12:30 pm

ITEM F-3 Request for Approval to Enter into a Grant-In-Aid Contract Agreement (1,500,000) State Capital Improvement Project Funds) Between the Board of Land and Natural Resources (BLNR) and Pacific American Foundation Hawai'i, Inc. (PAFHawai'i) for a Project Titled "Kaneohe Aquaculture and Community Development Complex.

Alton Miyasaka, Division of Aquatic Resources presented the Staff submittal.

Board Discussion

Member Gomes asked is any of the wastewater reclaimed from the water treatment plant? Or is the water going to be used for aquaculture?

Miyasaka-DAR replied, “no”, my understanding is the treatment facility is not operational.

Public Testimony

Herb Lee testified in support. He explained the nature of restoring this 400-year old fishpond. We have been developing curriculum for the DOE and anyone. The facility has become one of the largest community classroom with about 5,000 students visiting the pond and utilizing the curriculum and helping to understand culture, as well as environmental stewardship.

Motion

Approved as submitted (Gon, Gomes) unanimous.

Item D-6 After-the-Fact Issuance of Right-of-Entry Permit to Hawai‘i Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on April 27, 2017, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 (Portion).

Kevin Moore, Land Division presented this item.

Board Discussion

Member Downing commented on public safety to avoid debris from landing in the parking lot or on the land. He suggested repositioning of the launching canoe as necessary to achieve this.

Public Testimony- None

Motion

Approved as submitted (Oi, Gomes) unanimous.

Item D-7 Issuance of Right-of-Entry Permit to Hawai‘i Explosives & Pyrotechnics, Inc. for Aerial Fireworks Display at Duke Kahanamoku Beach on May 13 and 17, 2017, Waikīkī, Honolulu, O‘ahu, Tax Map Key: (1) 2-3-037:021 (Portion).

Board Discussion- None

Public Testimony- None

Motion

Approved as submitted (Gon, Oi) unanimous.

Item D-10 Issuance of Right-of-Entry Permit to Hawaii Explosives and Pyrotechnics, Inc. for Aerial Fireworks Display on June 2, 2017 at the beach fronting Kahala Hotel, Wai‘alae, Honolulu, O‘ahu, Tax Map Key: (1) 3-5-02: seaward of 041

Board Discussion- None

Public Testimony- None

Motion

Approved as submitted (Gomes. Roehrig) unanimous.

Item M-1 Issuance of a Revocable Permit for Ground Support Equipment Storage and Warehouse Space, Aeko Kula, Inc. dba Aloha Air Cargo, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 248 (Portion).

Approved as submitted (Gon, Oi) Unanimous

Item M-2 Amendment No. 3 to State Lease No. DOT-A-08-0010, Request for Additional Premises to the Lease, George’s Aviation Services, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-76: 4.

Board Discussion

“Amend the lease rent to \$40,000.00”

Public Testimony-None

Motion

Approved as amended (Gon, Oi) unanimous.

Item M-6 Issuance of a Revocable Permit for Cargo and Maintenance Operations, Hawaiian Airlines, Inc., Līhu‘e Airport, Tax Map Key: (4) 3-5-01: Portion of 8.

Item M-4 Issuance of a Revocable Permit to Hensel Phelps Construction Co. for a Field Office and Storage Space, Honolulu International Airport, Tax Map Key: (1) 1-1-003: 015 (Portion).

Item M-3 Issuance of a Revocable Permit to Global Specialty Contractors, Inc. for a Field Office and Warehouse Storage, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 21.

Item M-5 Amendment No. 28 to Concession Lease No. DOT-A-92-0018 for the Purpose of Adding New Food and Beverage Space, Restaurant, and Lounge Concession, Host International, Inc., Honolulu International Airport, Tax Map Key: (1) 1-1-03: 1 (Portion).

Item M-7 Issuance of a Revocable Permit for Aircraft Parking, Eric G. Popko, Honolulu International Airport, Tax Map Key: (1) 1-1-76: Portion of 23.

Ross Smith, Department of Transportation, Airport Division presented the Items M-1 through M-7 by Island.

Board Discussion

Item M-2 *"Amend the lease rent to \$40,000.00"*

Public Testimony- None

Motion

M-1, M-3 through 7 approved as submitted. M-2 approved as amended (Gon, Oi) unanimous.

Item F-1 Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Dr. Charles Littnan, NOAA Fisheries, Pacific Islands Fisheries Science Center, for Access to State Waters to Conduct Hawaiian Monk Seal Management and recovery actions, inclusive of the removal of individual sharks at FFS displaying predatory behavior towards pups.

Maria Carnevale, Division of Aquatics, the purpose is to continue conservation and management activities for the monitoring and recovery of the Hawaiian Monk Seal

Charles Littnan, NOAA, gave an update on the predatory sharks toward the monk seal pups and how they are monitoring behavior and collecting data and tagging the movements of the sharks and how to manage their movements.

Carnevale-DAR, the purpose is to conduct surveying and tagging of Hawaiian green turtles to add to over 40-years of population assessment data.

Item F-2 Request for Authorization and Approval to Issue a Papahānaumokuākea Marine National Monument Conservation and Management Permit to Dr. T.

Todd Jones, NOAA Fisheries, Pacific Islands Fisheries Science Center, for Access to State Waters to Conduct Sea Turtle Management Activities.

Carnevale-DAR, the purpose is to conduct surveying and tagging of Hawaiian green turtles to add to over 40-years of population assessment data.

Board Discussion- None

Public Testimony-None

Motion

Items F-1 and F-2, approved as submitted (Gomes, Gon) unanimous

Break for Lunch 2:00 p.m.

Back in Session 2:24 p.m.

Andrew Choy, Education Specialist, Division of Conservation and Resources Enforcement, Hunter Education Program, seeking indemnification for the City & County of Honolulu, Parks & Recreation during the 2017 National Fishing Day and future National Fishing Day events.

Item B-1 Request Approval to seek the Governor's Approval to Indemnify the City and County of Honolulu, Department of Parks and Recreation, for the use of the Koko Head Shooting Complex on September 16 – 17, 2017, for the National Hunting and Fishing Day Celebration, and, request the Board of Land and Natural Resources Delegate it's Authority to the Chairperson, Pursuant to Sections 26-15 and 171-6(8), Hawai'i Revised Statutes, to seek the Governor's Approval to Indemnify the City and County of Honolulu for future National Hunting and Fishing Day events

Andrew Choy, Education Specialist, Division of Conservation and Resources Enforcement, Hunter Education Program, seeking indemnification for the City & County of Honolulu, Parks & Recreation during the 2017 National Fishing Day and future National Fishing Day events.

Board Discussion-None

Public Testimony- None

Motion

Approved as submitted (Gon, Oi) unanimous.

Item C-1 Request for Approval to Enter into a Memorandum of Agreement between the Department of Land and Natural Resources and the Department of Agriculture, for providing Funding Assistance for Rapid 'Ohi'a Death Monitoring Programs, Subject to Review and Approval by the Department of Attorney General

And

Request Approval of Declaration of Exemption to Chapter 343, Hawai'i Revised Statutes for the project.

David Smith, Administrator, Division of Forestry and Wildlife, the MOA provides a mechanism for DOA to provide funding to DLNR to evaluate using scent-detection canines to survey the presence of the Rapid Ohia Death.

Board Discussion-None

Public Testimony-None

Motion

Approved as submitted (Gon, Oi) unanimous.

Item D-1 Rescind Prior Board Action of June 24, 2016, Item D-1, *Partial Withdrawal of Lands under Governor's Executive Order No. 510 for Reset Aside to Margaret A. Medeiros, Debra K. Titcomb, Randal K. Medeiros, and William Daryl Medeiros, for Grant of Easement at Kalāheo Homesteads, Series 2nd, Kalāheo, Kōloa, Kaua'i, Tax Map Key: (4) 2-3-002:005.*

Grant of 65-Year Term, Non-Exclusive Easement to Margaret A. Medeiros, Successor Trustee of the William K. Medeiros Revocable Living Trust dated May 17, 1991, William Daryl Medeiros, Trustee of the William Daryl Medeiros Revocable Trust dated July 30, 2009, Debra K. Titcomb, and Randal K. Medeiros, for Access and Utility Purposes at Kalāheo Homesteads, Series 2nd, Kalāheo, Kōloa, Kaua'i, Tax Map Key: (4) 2-3-002: Portion of 005.

Item D-2 Set Aside and Immediate Management Right-of-Entry Permit to County of Kaua'i for Affordable Housing, Por. of Kapa'a Town Lots, Kawaihau, Kaua'i, Tax Map Key: (4) 4-5-008:008.

Item D-5. Issuance of Additional License Agreements by the Board of Land and Natural Resources to the Department of Defense for Installation, Operation and Maintenance of Civil Defense Warning Sirens on Land under the Direct Management of the Department of Land and Natural Resources, at the following TMK Nos: (1) 3-9-007:034 (por.), Maunaloa, Honolulu, O'ahu; (3) 3-9-001:006 (por.), 'O'kala, North Hilo, Hawai'i; and (3) 2-5-006:003 (por.), Ponahawai, Kaūmana, Hawai'i

Board Discussion- None

Public Testimony-None

Motion

Items D-1, D-2 and D-5 approved as submitted (Gomes, Gon) unanimous.

Item E-1 Selection of Phase 2 of Hilo Bayfront Trails, County of Hawai'i; Renovation of Tennis Courts and Basketball Courts, County of Kaua'i; and Renovation of Playgrounds, City, and County of Honolulu for Federal Grant Awards through the Land and Water Conservation Fund Program with Fiscal Year 2016 Funds.

Curt Cottrell, Administrator, Division of State Parks, these projects have been identified to address the need for safe facilities and encourage outdoor recreation. The selection of the three projects, to receive LWCF Grant funds are subject to approval by the National Park Service,

Board Discussion- None

Public Testimony- None

Motion

Approved as submitted (Yuen, Gon) unanimous.

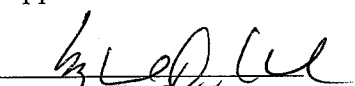
Motion to Adjourn (Gon, Gomes).

There being no further business, Chairperson Suzanne Case adjourned the meeting at 4:45 pm. Recording(s) of the meeting and all written testimonies submitted at the meeting are filed in the Chairperson's Office and available for review. Certain Items on the agenda were taken out of sequence to accommodate applicants or interest parties present.

Respectfully submitted,

Darlene S. Ferreira
Land Board Secretary

Approved for submittal:


Suzanne D. Case

Chairperson

Department of Land & Natural Resources